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7 FREE LAZOR,
8 Petitioner,
9 v.
10 MATTHEW ATCHLEY, et al.,
11 Respondent.

Case No. [21-cv-04038-EMC](#)

ORDER OF DISMISSAL

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14 Free Lazor, a pro se prisoner detained at Salinas Valley State Prison, filed the instant
15 petition for a writ of habeas corpus (“2021 Petition”). Docket No. 1. The 2021 Petition is now
16 before the Court for review pursuant to 28 U.S.C. § 2243 and Rule 4 of the Rules Governing
17 Section 2254 Cases in the United States District Courts.

18 The 2021 Petition must be dismissed because the relief sought is not available in a habeas
19 action. Petitioner seeks to obtain photocopies of a previous habeas petition filed in the United
20 States District Court for the Northern District of California. *See* Pet. at 2. Specifically, Petitioner
21 seeks photocopies of documents filed in *Lazor v. Warden CDC Systems*, Case No. 5:99-cv-20586-
22 RMW (N.D. Cal. filed June 29, 1999) (“1999 Petition”). *See id.* Photocopies are not available in
23 habeas. Rather, habeas offers a remedy for those prisoners who seek “immediate or speedier
24 release” from confinement. *Skinner v. Switzer*, 562 U.S. 521, 533-34 (2011). “Where the
25 prisoner’s claim would not ‘necessarily spell speedier release,’ however, suit may be brought
26 under § 1983.” *Id.* A § 1983 action is the exclusive remedy for claims by state prisoners that do
27 not “lie at the ‘core of habeas corpus.’” *Nettles v. Grounds*, 830 F.3d 922, 931 (9th Cir. 2016) (en
28 banc) (citation omitted). Because Petitioner does not seek release in the 2021 Petition, it must be

1 **DISMISSED.**

2 For Petitioner's benefit, the Court notes that the 1999 Petition was dismissed on February
3 12, 2002. *See* Docket No. 78, 1999 Petition. The case file for the 1999 Petition was shipped to
4 the Federal Records Center on August 10, 2011. *See* United State Courts, Judiciary Policies:
5 Court Records, *available at* <https://www.uscourts.gov/rules-policies/judiciary-policies> (last visited
6 Dec. 28, 2021) (providing for court records to be sent to the appropriate Federal Records Center
7 after a certain time period). The National Archives provides information regarding how to obtain
8 court documents from the appropriate Federal Records Center. *See* National Archives, Obtaining
9 Copies of Court Records in the Federal Records Centers, <https://www.archives.gov/research/court-records/order-copies> (last visited Dec. 28, 2021).

11 **IT IS SO ORDERED.**

12 Dated: December 29, 2021

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17 EDWARD M. CHEN
18 United States District Judge